Back Paper.

Dis.	No.	Department. Series.	Date.	Dis	No	Department. Series.	Date.

Further Papers.

File.	No.	Department. Series.	Date	Dis	No.	Department. Series.	Date.

1923.

Department of Nav

OFFICE Dept of Nav

STATION Brisbane

No. 2338

Dated 19 10 23

Date

To whom sent

Given for copying

Copied

Examined

Signed

Given for despatch

Despatched

Indexed

To be destroyed on

Pages in the file

(SUBJECT.)

Treasury (South (Kauna) —
— Immovable property — Sec
Acceptance. Cobb's action
Delegations of powers — Re

* Not to be filled in the case of permanent records.

B3812

1

R. O. C. 7604-22-E2. South Kanara Collector's office,

Mangalore, 25th September 1923.

8 SEP 1923

From

G. W. Wells, Esquire, M.A., I.C.S.,

Collector of South Kanara.

To

The Secretary to the Board,

Land Revenue & Settlement,

M a d r a s.

Sir,

Shroffs - Security - Landed property - Acceptance - Approval - Requested.

****

M. Sheik Madar, the present acting Shroff of my --- office, offered as security the Muli right of the landed -- property S.Nos.215,216 & 217 of Bolur village, Mangalore -- Taluk, measuring 2.75 acres and assessed at Rs.14-6-0. The pattadar Piadad D'Souza agreed to stand as surety. The -- property was considered sufficient for the Shroff's ------- security of Rs.700/- and was accepted.

2. Venkappa Gowda, acting Shroff of the Puttur ---- Taluk office offered as security S.Nos.156/1,2 & 3 of ----- Markanje village, Uppinangadi Taluk, assessed at Rs.15-5-0 and measuring 3.09 acres Kukkanna Gowda and Bommanna --- Gowda, the pattadars concerned agreed to stand as sureties. The property was considered as sufficient security and was accepted.

3. B. Hoovaya, permanent Shroff of the Coondapoor Taluk office, offered security the immoveable properties - comprised in patta No.431 of Coondapoor Casba of --------- Coondapoor Taluk. This property was also considered as a sufficient security and the pattadar, K.Venkatramana ----- agreed to stand as surety along with another Topi Lanjunath Sheregara who was reported to be solvent. This security was also finally accepted.

4. The enquiry held showed that in all the three cases mentioned above there were no previous encumbrances on the properties in question. The three Shroffs -------

thereupon executed the bonds in the form prescribed. I find, however that the Board's sanction as required in B.S.O.130(5) had not been obtained before accepting the properties tendered as security. I therefore request that the Collector's action may be ratified.

p 287
Vol I BSOs

5. In this connection I would suggest that the power of accepting the landed property as security in cases -- like these, now exercised by the Board, may in future be delegated to Collectors.

Your obedient servant,

26.9.3

Collector.

M.D'S.25/9

B 26/9/23

B 3812-

Secy (Revs) 2338 19/10/23.

The Board approves the Colls action in having accepted security in the shape of immoveable property in the 3 cases referred to in paras 1 to 4 of the letter read above.

2. As regards the delegation suggested in paragraph 5 the Colln is informed that the Board does not wish to encourage the tendering of immovable property as security and therefore cannot support ~~the Colln's~~ his suggestion

Secy (Revs) 23 16/10/23

17 of 2

Secy 3 9.10.23

To the Collector of South Kanara

M2
S6

Treasury (S.Kanara) - Shroffs - Landed Property - Security - Acceptance - Delegation of poers.

B 3812 from the Collr of S.Kanara.

To Secretary.

The Collr's action in having accepted security in the shape of immovable property in the 3 cases mentioned by him may be formally ratified. Vide para 5 of B.S.O. 130.

para 4, p.2 c.f.

p. 287 Vol. I.

2. The Collr's suggestion that the power to accept landed property as security in the case of shroffs other than Huzur Head Shroffs may be delegated to Collrs is for consideration and orders.

p. 287 Vol. I.

3. The rule in B.S.O. 130-5 is not based on any ruling of the Govt. of India. Originally the local Govt. alone had the power to allow the acceptance of security in the shape of immovable property. In 1907 the power was delegated to the Board of Revenue. The resolution of the Board of Revenue suggesting the delegation contains no discussion on the subject.

Item 13 at p.7 of (L)

Bd's Refece. at p.2 of L and item 39 at p. 6 of (L)

4. Immovable property is not a convenient form of security from the point of view of Govt. The rule in B.S.O. 130-5 seems intended to discourage the acceptance of securities tendered in this form.

For orders if the Collr's proposal may be recommended to Govt. so far as shroffs other than Huzur Head Shroffs are concerned.

Shroffs mentioned in para 2(iii) of B.S.O. 130- p. 286, Vol I.

RGV 11.X.13 for 12.10.13 I would point out to the Collr that the Bd. does not wish to encourage the tendering of immovable property as security & ∴ cannot support the proposed delegation.

15.10

To Secy

draft subs p 2 c.f

16.10.23

17/10/23